

EXHIBIT 37
DATE 1/12/2011
HB 198

Mr. Chairman, Members of the Committee, my name is Clint McRae, my family and I ranch south of Colstrip, and have had first-hand experience with the threat of condemnation. The proposed Tongue River Railroad would cross 4 miles of our operation, creating a threat of fire, noxious weeds, interrupting cattle movements, and the severance associated with a railroad. Eminent domain was used as a club against us to force the signing of agreements that would be detrimental to our operation. We were told that if we didn't sign, that we would be taken to court where we would receive less than what the railroad was offering. They had no intention of negotiation, and we welcomed and encouraged condemnation proceedings to begin, as the railroad was being unreasonable.

I am asking you to table HB 198. Any use of eminent domain should be a last resort, not used and abused as a tool to threaten and intimidate the signing of an agreement. The language in the bill is extremely broad, and would be used against the public for the gain of private corporations. If there is a true need for these projects, the companies need to fairly negotiate and compensate any damages and impacts to landowners or citizens. Using eminent domain as a bargaining tool creates resentment against projects, which is detrimental to everyone.

This bill is ill advised, and is special interest legislation at it's worst.

I urge you to table this bill.

Thank you for your consideration.

Clint McRae

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